

(a) Every business, with the exception of private pumpers, before engaging in the practice of servicing in this state, shall make application on forms prepared by the department. Surety bonds and license fees as described in pars. (b) and (c) shall accompany each application.

Note: Application forms are available at department district and area offices.

(b) Before receiving a license, the applicant shall execute and deposit with the department a surety bond covering the period for which the license is issued, by a surety company authorized to transact business within the state, to indemnify persons for whom faulty work is performed. The bond shall be in the amount of \$1,000 per business for residents of the state and \$5,000 per business for nonresidents; provided that the aggregate liability of the surety to all persons shall, in no event, exceed the amount of the bond. The bond shall be conditioned on the performance of services in conformity with all applicable health laws and rules. A security deposit in form acceptable to the department and subject to the same condition may be accepted in lieu of a surety bond.

(c) The initial license fee for each business is \$25 for each vehicle for a resident business and \$50 for each vehicle for a nonresident business. Licenses are not transferable or proratable. In addition to the initial license fee, a groundwater fee of \$50 for each business shall be submitted for credit to the groundwater fund.

(2) INITIAL LICENSURE; DEPARTMENT REQUIREMENTS. Prior to issuance of a license, the department shall assure that the following requirements are met:

(a) The department shall inspect the servicing equipment and operating procedures. The vehicle sticker may not be issued if the equipment is found to be in noncompliance with this chapter.

(b) Licensed plumbers engaged in servicing shall be issued a registration number upon submittal of an application and registration fee. The department shall also require vehicle inspection as a registration requirement.

(c) Every license applicant shall have sufficient knowledge of sanitation and of the principles underlying the operation, servicing and disposal of septic and holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, seepage trenches, privies and portable restrooms to safeguard the public health and welfare. The department shall require each applicant to take an oral or written examination and receive a passing grade to demonstrate knowledge of the principles of proper landspreading, site management and qualifications for licensure. The department shall, within 14 days of notification of the applicant receiving a grade on the septage qualification examination, take action by either approving or denying the licensing application.

(d) Businesses using more than one vehicle shall be issued the same license number and an annual sticker for each vehicle.

(3) LICENSE RENEWAL. All licenses expire on June 30; licenses shall be issued annually by the department. Businesses seeking license renewal shall meet the following renewal requirements:

(a) Application for renewal shall be filed with the department 30 days prior to expiration; if filed after the expiration date, a late fee of \$5 shall be charged in addition to the renewal fee.

Note: Anyone servicing systems without a current business license under s. NR 113.05 shall be subject to the penalties in s. NR 113.16. Payment of a late fee under s. NR 113.05 (3) (a) does not relieve a violator from being subject to such penalties.

(b) A surety bond or deposit as described in sub. (1) (b), covering the period of the renewed license shall accompany the application.

(c) The renewal fee shall accompany the renewal application. The annual renewal fee and groundwater fee are the same as for initial licensure in accordance with sub. (1) (c).

(d) Prior to renewal, servicing equipment shall be inspected at least once every 2 years by the department or by a department approved inspector. An annual vehicle sticker may not be issued if the equipment is found to be unsatisfactory or is in noncompliance with this chapter. The department may not renew a business license for a business that does not have at least one vehicle meeting these requirements.

(e) The department may not issue or renew a license for a business which has cumulative violations of one or more of the following violations of ss. NR 113.04 (1) and (2), 113.05 (1), (2) and (3), 113.06 (1), (3) and (4) and 113.12 (1), (2) and (3), and s. 29.29, Stats., during the last license period.

Number of vehicle stickers issued to the business	Number of violations that result in the nonrenewal of the business license
1 to 3	3
4 to 9	6
Greater than 9	9

(4) REGISTRATION. A licensed plumber or a person who services septic and holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, seepage trenches, privies or portable restrooms located on real estate owned or leased by the person and who disposes of no more than 3000 gallons of septage per week on the same contiguous parcel is not required to obtain a business license but is required to register annually, prior to doing any servicing, by submitting a completed department registration application and submitting a \$15 registration fee.

(a) A registration application shall be filed with the department 30 days prior to expiration; if filed after the expiration date, a late fee of \$5 shall be charged in addition to the registration fee.

Note: Anyone servicing systems without currently being registered under s. NR 113.05 shall be subject to the penalties in s. NR 113.16. Payment of a late fee under s. NR 113.05 (4) (a) does not relieve a violator from being subject to such penalties. Registration forms are available at department district and area offices.

(b) The registration fee shall accompany the registration application. Registered haulers that use rented equipment to service their system shall submit with the registration application all of the previous years equipment rental invoices.

(c) The registration applicant, excluding licensed plumbers, may not be eligible for registration and is to be licensed if the following apply:

1. The septage is not disposed of on the same parcel.

Note: Transporting septage to a POTW is not disposal on the same property.

2. More than 3,000 gallons of septage per week is generated and proposed to be disposed of on the same contiguous parcel.

3. Adequate acceptable land for proper disposal has not been demonstrated to the department.

4. An adequate contingency plan for disposal of septage during adverse weather conditions has not been supplied to the department.

(d) Annually, the department shall supply a list of all the registered haulers in a given county, if the county desires this information.

(e) Servicing and land application may not be accomplished by the use of a pump and hose or pipe system.

TABLE 1

YEARLY FEE AND SURETY BOND SCHEDULE SUMMARY

	Initial Licensing	Renewal of Licensing	Initial Registration	Renewal of Registration
	NR 113.05(1)	NR 113.05(3)	NR 113.05(4)	NR 113.05(4)
Commercial Hauler				
1. Business Fee				
Resident	\$25/vehicle	\$25/vehicle	N/A	N/A
Nonresident	\$50/vehicle	\$50/vehicle	N/A	N/A
2. Surety Bond				
Resident	\$1000/business	\$1000/business	N/A	N/A
Nonresident	\$5000/business	\$5000/business	N/A	N/A
3. Groundwater Fee	\$50/business	\$50/business	N/A	N/A
Licensing Exempt- Licensed Plumbers	N/A	N/A	\$15/business	\$15/business
Licensing Exempt- Private Haulers	N/A	N/A	\$15	\$15
Late Filing Fee	\$5	\$5	\$5	\$5

History: Cr. Register, September, 1987, No. 381, eff. 10-1-87; am. (3) (e), Register, February, 1992, No. 434, eff. 3-1-92.

NR 113.06 Vehicle inspections, servicing and licensing. (1) INSPECTION. Any person engaged in servicing shall allow equipment to be used to be inspected upon request and at any reasonable time and place, as may be designated by the department. Inspections of servicing equipment shall be performed at least once every 2 years by the department or by a department approved inspector.

(2) **LICENSING.** All licenses issued under this chapter shall expire on June 30 of each year.

(3) **EQUIPMENT REQUIREMENTS.** Vehicles and operations shall conform to this chapter and vehicles shall display a license sticker in accordance with sub. (3) (m)1. All vehicles and equipment used in servicing shall conform to the following:

(a) All vehicles and all equipment shall be maintained in operational condition and in conformance with this chapter at all times.

(b) The vehicles and implements used in servicing shall be used for no other purpose except the hauling or servicing of septage, grease interceptors, municipal wastewater treatment sludges, or animal wastes at a farm. However, use of the vehicle for fire protection service, oil recovery and industrial wastes not regulated under ch. NR 181 or 500 to 522 is permissible if the tank is flushed and decontaminated prior to and after use. A vehicle which is utilized for the servicing of portable restrooms may be used for other tasks associated with the operation of the business.

(c) Vehicles and equipment shall be stored in a manner which will not cause a nuisance to the general public.

(d) The minimum allowable tank size shall be 1000 gallons, with the following exceptions:

1. Private pumpers;
2. Tanks used for servicing only portable restrooms;
3. Tanks put into service prior to October 1, 1987;
4. A smaller supplemental tank may be used where found necessary and adequate by the department.

(e) Department approval of any trailer-mounted servicing equipment shall be on an individual basis for specific uses only.

(f) Portable tanks or containers used for servicing, other than approved trailer-mounted servicing equipment, are prohibited. All approvable tanks or containers shall be attached to the vehicle by welding or bolts and cannot be used for containing liquids that are intended for direct contact with humans or animals.

(g) Each tank shall be strong enough for all conditions of operation, leakproof, contain inertia baffles and be designed to be kept tightly closed to prevent spillage or escape of odors while in transit or storage. Tanks shall be constructed of suitable metal or materials approved by the department and mounted permanently on a truck chassis, except where trailer-mounted equipment is approved.

(h) Pumps shall be adequate for the required service. The installation shall be designed to prevent backflow or leakage. Connections shall be provided with caps or seals.

(i) Discharge valves on tanks shall be watertight, capped when not in use, and constructed and located so as to permit unobstructed discharge at the place of disposal.

(j) Starting January 1, 1988, all servicing equipment used for surface spreading of septage, including equipment in service prior to October 1, 1987, shall have a splash plate or some other department approved method or device to facilitate uniform septage application. New servicing equipment put into operation after October 1, 1987 shall be in conformance with this provision prior to use.

Note: The use of a vehicle cab controlled discharge valve is encouraged by the department. The cab controlled valve is intended to help prevent ponding and keep the vehicle moving while landspreading septage.